

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	)	Examiner: Basi, Nirmal Singh
	)	
Avi ASHKENAZI, <i>et al.</i>	)	Art Unit: 1646
	)	
Application Serial No. 09/909,088	)	Confirmation No: 1981
	)	
Filed: July 18, 2001	)	Attorney's Docket No. GNE-1618 P2C79
	)	
For: <b>SECRETED AND TRANSMEMBRANE</b>	)	<b>Customer No. 77845</b>
<b>POLYPEPTIDES AND NUCLEIC ACIDS</b>	)	
<b>ENCODING SAME</b>	)	

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**FILED VIA EFS  
ON SEPTEMBER 8, 2008**

**AMENDMENT RESPONSE TO NON-FINAL OFFICE ACTION**

**MAIL STOP APPEAL BRIEF - PATENTS**

Commissioner for Patents -  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Non-Final Office Action mailed on April 8, 2008, in connection with the above-identified patent application, please enter the following Notice of Appeal under 37 CFR 41.31. Applicants note that the pending claims have been twice rejected and thus are eligible for appeal to the Board of Patent Appeals and Interferences.

The Examiner acknowledges that the previously paid Notice of Appeal Fee paid July 25, 2007 and Appeal Brief paid November 21, 2007 may be applied to the New Appeal being filed herewith.

This response is timely filed with a Petition for Extension of time for two months and with the Notice of Appeal.

Please charge any additional fees, including any fees for additional extension of time, or

credit overpayment to Deposit Account No. 07-1700 (referencing Attorney's Docket No. 123851-181890 GNE-1618 P2C79).

Respectfully submitted,

Date: September 8, 2008

By:   
Christopher De Vry (Reg. No. 61,425)

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